

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 22.09 FEET FOR A PROPOSED ALUMINUM SCREEN ROOM ADDITION TO AN EXISTING SINGLE-FAMILY HOME; (GERALD DEAN ROBISON, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Tony Matthews **EXT.** 7373

**Agenda Date** 06-23-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 22.09 FEET FOR A PROPOSED ALUMINUM SCREEN ROOM ADDITION TO AN EXISTING SINGLE-FAMILY HOME; (GERALD DEAN ROBISON, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 22.09 FEET FOR A PROPOSED ALUMINUM SCREEN ROOM ADDITION TO AN EXISTING SINGLE-FAMILY HOME; (GERALD DEAN ROBISON, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #5, McLain)

(Tony Matthews, Principal Planner)

<b>GENERAL INFORMATION</b>	GERALD DEAN ROBISON 5074 GREAT OAK LANE SANFORD, FL 32771	R-1AAA DISTRICT, LDC SECTION 30.206(c)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES A 300 SF (25 FT X 12 FT) ALUMINUM SCREEN ROOM ADDITION TO THE REAR OF AN EXISTING HOME.</li> <li>• THE PROPOSED ADDITION WOULD ENCROACH 7.91 FT INTO THE MINIMUM 30 FOOT REAR YARD SETBACK; A VARIANCE FROM 30 FT TO 22.09 FT IS REQUESTED.</li> <li>• AVAILABLE RECORDS INDICATE NO PRIOR VARIANCES OR SPECIAL EXCEPTIONS HAVE BEEN GRANTED FOR THIS PROPERTY.</li> </ul>	
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE NORTH SIDE YARD OF THE PROPERTY ABUTS A DRAINAGE EASEMENT, DESCRIBED AS "TRACT A" IN THE ATTACHED SITE PLAN.</li> <li>• THERE IS AN EXISTING 10 FOOT UTILITY EASEMENT ALONG THE REAR PROPERTY LINE. THE PROPOSED</li> </ul>	

	<p>SCREEN ROOM WOULD NOT ENCROACH INTO THIS EASEMENT.</p> <ul style="list-style-type: none"><li>• THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE, AS STATED IN LDC SECTION 30.43(b)(3).<ul style="list-style-type: none"><li>○ NO SPECIAL CONDITIONS OR CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE, OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONING CLASSIFICATION; THE DEPTH (135 FEET) AND DIMENSIONS OF THIS LOT ARE CONSISTENT WITH THOSE OF OTHER LOTS WITHIN THE SUBDIVISION.</li><li>○ GRANTING THE VARIANCE REQUESTED WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES DENIED BY CHAPTER 30, DUE TO THE ENCROACHMENT THAT WOULD BE ALLOWED IN THE MINIMUM REAR YARD SETBACK WITHOUT A DEMONSTRATED HARDSHIP.</li><li>○ LITERAL INTERPRETATION OF THE PROVISIONS OF CHAPTER 30 WOULD NOT DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION AND WOULD NOT WORK UNNECESSARY AND UNDUE HARDSHIP ON THE APPLICANT AS THE EXISTING PORCH PROVIDES A REASONABLE USE OF LAND WITHOUT ENCROACHMENT INTO THE SETBACK.</li><li>○ THE REQUESTED VARIANCE WOULD NOT BE IN COMPLIANCE WITH THE LAND DEVELOPMENT CODE.</li></ul></li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUEST UNLESS A HARDSHIP CAN BE DEMONSTRATED BY THE APPLICANT.</li><li>• IF THE BOARD SHOULD APPROVE A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:<ul style="list-style-type: none"><li>○ ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>○ ANY ADDITIONS CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul></li></ul>

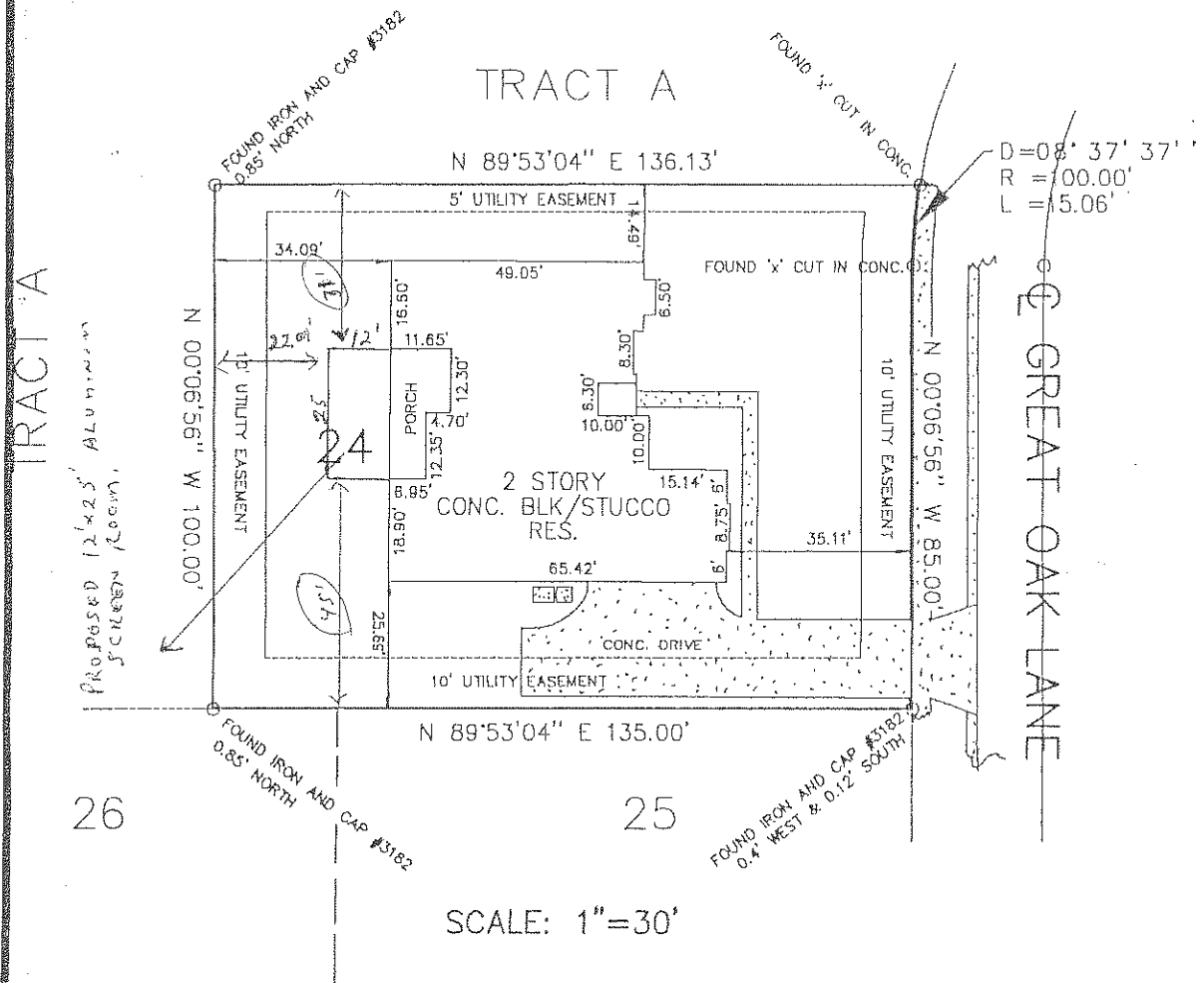
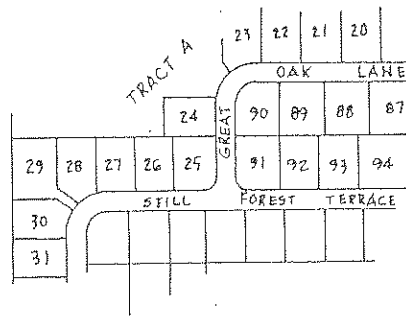


BV2003...061

# PLAT OF SURVEY

for  
CHARLES D. AND CYNTHIA ADAMS  
Legal Description

Lot 24, TALL TREES, according to the plat thereof recorded in Plat Book 39, pages 36 through 38, of the Public Records of Seminole County, Florida.



## SURVEY NOTES:

- 1) The street address of the above described property is 5074 GREAT OAK LANE.
- 2) The above described property lies in a Flood Zone X.

## SURVEYOR'S CERTIFICATE

This is to certify that I have made a Survey of the above described property and that the plat hereon delineated is an accurate representation of the same. I further certify that this Survey meets the Minimum Technical Standards set forth by the Florida Board of Land Surveyors pursuant to Section 427.027 of the Florida Statutes.

### REVISIONS:

### CERTIFIED CORRECT TO:

*R. Blair Kitner*  
KITNER SURVEYING, INC.  
R. BLAIR KITNER - P.L.S. NO. 3382  
Post Office Box 823, Sanford, FL 32772-0823  
(407) 322-2000

CHARLES D. AND CYNTHIA ADAMS  
FIRST BANKER MORTGAGE SERVICES, II  
EQUITABLE TITLE AGENCY, INC.  
FIRST FLY NATIONAL TITLE INS. CO.